

<i>SERFF Tracking Number:</i>	<i>ZURC-125634273</i>	<i>State:</i>	<i>Arkansas</i>
<i>Filing Company:</i>	<i>Zurich American Insurance Company</i>	<i>State Tracking Number:</i>	<i>EFT \$50</i>
<i>Company Tracking Number:</i>	<i>CW OL 27265</i>		
<i>TOI:</i>	<i>17.0 Other Liability - Claims Made/Occurrence</i>	<i>Sub-TOI:</i>	<i>17.0000 Other Liability Sub-TOI Combinations</i>
<i>Product Name:</i>	<i>TRIA 2008 Transition - Exclusion of Certified Acts of Terrorism</i>		
<i>Project Name/Number:</i>	<i>TRIA Transition - Exclusion of Certified Acts of Terrorism/CW OL 27265</i>		

Filing at a Glance

Company: Zurich American Insurance Company

Product Name: TRIA 2008 Transition - Exclusion of Certified Acts of Terrorism SERFF Tr Num: ZURC-125634273 State: Arkansas

TOI: 17.0 Other Liability - Claims Made/Occurrence

SERFF Status: Closed

State Tr Num: EFT \$50

Sub-TOI: 17.0000 Other Liability Sub-TOI Combinations

Co Tr Num: CW OL 27265

State Status: Fees verified and received

Filing Type: Form

Co Status: Not Applicable

Reviewer(s): Betty Montesi, Edith Roberts, Brittany Yielding

Author: Carole Amato

Disposition Date: 05/07/2008

Date Submitted: 05/05/2008

Disposition Status: Approved

Effective Date Requested (New): 07/01/2008

Effective Date (New):

Effective Date Requested (Renewal): 07/01/2008

Effective Date (Renewal):

State Filing Description:

General Information

Project Name: TRIA Transition - Exclusion of Certified Acts of Terrorism Status of Filing in Domicile: Pending

Project Number: CW OL 27265

Domicile Status Comments:

Reference Organization:

Reference Number:

Reference Title:

Advisory Org. Circular:

Filing Status Changed: 05/07/2008

State Status Changed: 05/07/2008

Deemer Date:

Corresponding Filing Tracking Number:

Filing Description:

The Terrorism Risk Insurance Act ("TRIA"), as amended, was scheduled to expire on December 31, 2007. On December 26, 2007, the President of the United States signed the Terrorism Risk Insurance Program Reauthorization Act extending TRIA, with certain modifications, for seven additional years. TRIA is now scheduled to expire on December 31, 2014. This filing is in response to TRIA's extension.

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Currently under a recent company filing we have received approval of form U-GU-767-A, Cap on Losses from Certified Acts of Terrorism, as a new inter-line form that mirrors ISO's IL 09 52 01 08. This form sets forth the \$100 billion cap on industry and federal shares of insured losses. Like the ISO version, this form should be attached when certified acts of terrorism are not excluded. This form differs from the ISO version so that it can be used across all lines subject to the Act, except Workers' Compensation to which appropriate bureau forms apply.

Explanatory Memorandum contains the following parts:

- I. Certified Acts of Terrorism Exclusions
- II. Withdrawn Forms
- III. Usage Discussion

The following forms amend those previously approved in this state.

I. Exclusion of Certified Acts of Terrorism, U-ENVL-1439-C CW

The following endorsement includes similar language to endorsements previously approved in this state.

U-ENVL-1439-C CW is a revision of endorsement U-ENVL-1439-B CW (previously approved in this State). In addition to modifications reflecting changes in response to the recent extension legislation, editorial changes are made to improve readability and format.

II. Withdrawn Forms

As a result of the changes in this filing we are withdrawing the following endorsements:

- U-ENVL-1439-B CW (10/04), Exclusion of Certified Acts of Terrorism
- U-ENVL-1452-A CW (10/04), Exclusion of Other Than Certified Acts of Terrorism

III. Usage Discussion

Exclusion of Certified Acts of Terrorism

The Terrorism Risk Insurance Act (TRIA) is a temporary program. The following certified acts endorsements may be used in connection with policies that are effective during the Program or during a period of uncertainty surrounding

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potential extension or replacement of the Program.

The following instructs on the usage of certified acts of terrorism exclusions. These endorsements may be used during the time period that TRIA is in effect and during any period during which the potential extension or replacement of TRIA remains uncertain. Following the offer of a policy that satisfies TRIA's "make available" requirement and that offer of a policy is rejected, a certified acts of terrorism exclusion may be attached.

U-GU-767 is an inter-line form that sets forth the \$100 billion cap on industry and federal shares of insured losses. The form should be attached when certified acts of terrorism are not excluded.

Company and Contact

Filing Contact Information

Carole Amato, Supervisor carol.amato@zurichna.com
1400 American Lane (847) 413-5235 [Phone]
Schaumburg, IL 60196-1056 (847) 605-7768[FAX]

Filing Company Information

Zurich American Insurance Company CoCode: 16535 State of Domicile: New York
1400 American Lane Group Code: 212 Company Type:
Schaumburg, IL 60102 Group Name: State ID Number:
(847) 605-6000 ext. [Phone] FEIN Number: 36-4233459

Filing Fees

Fee Required? Yes
Fee Amount: \$50.00
Retaliatory? No
Fee Explanation:
Per Company: No

COMPANY	AMOUNT	DATE PROCESSED	TRANSACTION #
Zurich American Insurance Company	\$50.00	05/05/2008	20088329

SERFF Tracking Number:	ZURC-125634273	State:	Arkansas
Filing Company:	Zurich American Insurance Company	State Tracking Number:	EFT \$50
Company Tracking Number:	CW OL 27265		
TOI:	17.0 Other Liability - Claims Made/Occurrence	Sub-TOI:	17.0000 Other Liability Sub-TOI Combinations
Product Name:	TRIA 2008 Transition - Exclusion of Certified Acts of Terrorism		
Project Name/Number:	TRIA Transition - Exclusion of Certified Acts of Terrorism/CW OL 27265		

Correspondence Summary

Dispositions

Status	Created By	Created On	Date Submitted
Approved	Edith Roberts	05/07/2008	05/07/2008

SERFF Tracking Number: *ZURC-125634273* *State:* *Arkansas*
Filing Company: *Zurich American Insurance Company* *State Tracking Number:* *EFT \$50*
Company Tracking Number: *CW OL 27265*
TOI: *17.0 Other Liability - Claims Made/Occurrence* *Sub-TOI:* *17.0000 Other Liability Sub-TOI Combinations*
Product Name: *TRIA 2008 Transition - Exclusion of Certified Acts of Terrorism*
Project Name/Number: *TRIA Transition - Exclusion of Certified Acts of Terrorism/CW OL 27265*

Disposition

Disposition Date: 05/07/2008

Effective Date (New):

Effective Date (Renewal):

Status: Approved

Comment:

Rate data does NOT apply to filing.

SERFF Tracking Number: ZURC-125634273 State: Arkansas

Filing Company: Zurich American Insurance Company State Tracking Number: EFT \$50

Company Tracking Number: CW OL 27265

TOI: 17.0 Other Liability - Claims Made/Occurrence Sub-TOI: 17.0000 Other Liability Sub-TOI Combinations

Product Name: TRIA 2008 Transition - Exclusion of Certified Acts of Terrorism

Project Name/Number: TRIA Transition - Exclusion of Certified Acts of Terrorism/CW OL 27265

Item Type	Item Name	Item Status	Public Access
Supporting Document	Uniform Transmittal Document-Property & Casualty	Approved	Yes
Supporting Document	Marked Copy	Approved	Yes
Form	Exclusion of Certified Acts of Terrorism	Approved	Yes
Form	Exclusion of Other Than Certified Acts of Terrorism	Approved	Yes

SERFF Tracking Number: ZURC-125634273 State: Arkansas

Filing Company: Zurich American Insurance Company State Tracking Number: EFT \$50

Company Tracking Number: CW OL 27265

TOI: 17.0 Other Liability - Claims Made/Occurrence Sub-TOI: 17.0000 Other Liability Sub-TOI Combinations

Product Name: TRIA 2008 Transition - Exclusion of Certified Acts of Terrorism

Project Name/Number: TRIA Transition - Exclusion of Certified Acts of Terrorism/CW OL 27265

Form Schedule

Review Status	Form Name	Form #	Edition Date	Form Type Action	Action Specific Data	Readability	Attachment
Approved	Exclusion of Certified Acts of Terrorism	U-ENVL-1439-C CW	03 08	Endorsement/Amendment/Conditions	Replaced Form #:0.00 U-ENVL-1439-B CW 10 04 Previous Filing #: AR-PC-05-013016		U-ENVL-1439-C CW (03-08).pdf
Approved	Exclusion of Other Than Certified Acts of Terrorism	U-ENVL-1452-A CW	10 04	Endorsement/Amendment/Conditions	Replaced Form #:0.00 Previous Filing #: co. filing# 23725		

**ZURICH**

Exclusion of Certified Acts of Terrorism

Policy No.	Eff. Date of Pol.	Exp. Date of Pol.	Eff. Date of End.	Producer	Add'l. Prem	Return Prem.
					\$	\$

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

Named Insured and Mailing Address:

Producer:

Sub-Producer:

<insddbannm>

<prdrnm>

<sprdrnm>

<insdaddr1>

<prdraddr1>

<sprdraddr1>

<insdaddr2>

<prdraddr2>

<sprdraddr2>

<insdaddr3>

<prdraddr3>

<sprdraddr3>

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

This endorsement modifies insurance provided under the:

Dealer and Repair Pollution Liability Insurance Policy – Claims Made and Reported Coverage

Storage Tank System Third Party Liability Insurance Policy – Claims Made and Reported Coverage

Storage Tank System Third Party Liability and Cleanup Insurance Policy – Claims Made and Reported Coverage

In consideration of the payment of premium and the Deductible by you and in reliance upon the statements in the Application made a part hereof, we agree with you, subject to all the terms, exclusions and conditions of the policy and the terms and conditions of this endorsement that the following changes shall apply:

I. For the purposes of this endorsement the following definitions are added to the policy and apply to all coverage parts contained in the applicable policy:

“Certified act of terrorism” means an act that is certified by the Secretary of the Treasury, in concurrence with the Secretary of State and the Attorney General of the United States, to be an act of terrorism pursuant to the federal Terrorism Risk Insurance Act. The Terrorism Risk Insurance Act sets forth the following criteria for a “certified act of terrorism”

1. The act resulted in aggregate losses in excess of \$5,000,000 in the aggregate, attributable to all types of insurance subject to the Terrorism Risk Insurance Act; and
2. The act is a violent act or an act that is dangerous to human life, property or infrastructure and is committed by an individual or individuals as part of an effort to coerce the civilian population of the United States or to influence the policy or affect the conduct of the United States Government by coercion.

“Any injury or damage” means any injury or damage covered under any coverage part of any policy to which this endorsement is attached, and includes but is not limited to “damages”, “loss(es)”, “cleanup costs”, “pollution event(s)”, “release(s)”, “claim(s)” or “claim expenses” as may be defined in any applicable coverage part or policy.

II. The following exclusion is added to the policy and applies to all coverage parts contained in the policy:

This insurance does not apply to “any injury or damage” arising, directly or indirectly out of a “certified act of terrorism”.

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<i>Company Tracking Number:</i>	<i>CW OL 27265</i>		
<i>TOI:</i>	<i>17.0 Other Liability - Claims Made/Occurrence</i>	<i>Sub-TOI:</i>	<i>17.0000 Other Liability Sub-TOI Combinations</i>
<i>Product Name:</i>	<i>TRIA 2008 Transition - Exclusion of Certified Acts of Terrorism</i>		
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Rate Information

Rate data does NOT apply to filing.

SERFF Tracking Number: ZURC-125634273 State: Arkansas
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Company Tracking Number: CW OL 27265
TOI: 17.0 Other Liability - Claims Made/Occurrence Sub-TOI: 17.0000 Other Liability Sub-TOI Combinations
Product Name: TRIA 2008 Transition - Exclusion of Certified Acts of Terrorism
Project Name/Number: TRIA Transition - Exclusion of Certified Acts of Terrorism/CW OL 27265

Supporting Document Schedules

Satisfied -Name:	Uniform Transmittal Document-Property & Casualty	Review Status:	Approved	05/07/2008
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Comments:

Attachment:

NAIC CW.pdf

Satisfied -Name:	Marked Copy	Review Status:	Approved	05/07/2008
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Comments:

Attachment:

U-ENVL-1439-B CW_10-04_ Redline.pdf

EXPEDITED FILING - COMMERCIAL LINES TERRORISM**This page applies to the following state(s)** _____

Indicate Type of Filing
<input checked="" type="checkbox"/> Filing Related to <i>Certified Losses</i>
<input type="checkbox"/> Filing Related to <i>Non-Certified Losses</i>
<input type="checkbox"/> Filing Applicable to Both Certified and Non-Certified Losses

Department Use only

Company Name(s)	Domicile	NAIC #	FEIN #
Zurich American Insurance Company	NY	212-16535	36-4233459

Contact Info for Filer

Name and address of Filer(s)	Telephone #	FAX #	e-mail
Carole Amato 1400 American Lane Schaumburg, IL 60196-1056	847-413-5235	847-605-7768	carole.amato@zurichna.com

Filing information

Line of Insurance (see attachment)	17.0 – Other Liability
Company Program Title (Marketing title) (if applicable)	17.0022 Commercial Liability Program
Filing Type ** see note below	Form
This application is used with:	Dealer and Repair Pollution Liability Insurance Policy, Storage Tank System Third Party Liability And Cleanup Policy, Storage Tank System Third Party Liability Policy
Effective Date Requested	07/01/08
Filing date	SERFF Receipt date
Company Tracking Number	CW-OL-27265
Date filing approved in domiciliary state, if applicable	Not approved yet. Filed on the same date as this filing.

	<u>Component/Form Name</u> <u>/Description/Synopsis</u>	<u>Form # or Rate Page</u> Include edition date	<u>Replacement</u> <u>Or withdrawn?</u>	<u>If replacement,</u> <u>give form # or rate</u> <u>page(s) it replaces</u>	<u>Previous State</u> <u>Filing Number,</u> <u>if required</u> <u>by state</u>
01	Exclusion of Certified Acts of Terrorism	U-ENVL-1439-C CW (03-08)	<input checked="" type="checkbox"/> Replacement <input type="checkbox"/> Withdrawn <input type="checkbox"/> Neither	U-ENVL-1439-B CW (10/04)	AR-PC-05-013016
02	Exclusion of Other Than Certified Acts of Terrorism	U-ENVL-1542-A CW (10-04)	<input type="checkbox"/> Replacement <input checked="" type="checkbox"/> Withdrawn <input type="checkbox"/> Neither		AR-PC-05-013016

To be complete, a filing must include the following:

1. A completed Expedited Filing Transmittal Document for each insurer
2. One copy of each endorsement.
3. The appropriate filing fees, if required

The insurer(s) submitting this filing certifies that it is:

Using an endorsement that provides coverage that is at least as broad as described in the bulletin.

The insurer(s) submitting this filing certifies that it:

- ☒ Is in compliance with the terms of the Terrorism Risk Insurance Act, as amended, and the laws of this state; and
- ☒ Is in compliance with the requirements of the bulletin containing the voluntary expedited filing procedures.



Signature

Carole Amato
Print Name:

Analyst
Title:

Endorsement # <endtnbr>

Exclusion of Certified Acts of Terrorism



Policy No.	Eff. Date of Pol.	Exp. Date of Pol.	Eff. Date of End.	Producer	Add'l Prem.	Return Prem.
<polnbr>	<effdt>	<expidt>	<btneff>	<prdnbr>	<aprem>	<rprem>

Named Insured and Mailing Address:

<insddbannm>
<insdaddr1>
<insdaddr2>
<insdaddr3>

Producer:

<prdrnm>
<prdraddr1>
<prdraddr2>
<prdraddr3>

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

This endorsement modifies insurance provided under the following:

~~Dealer and Repair Pollution Liability Insurance Policy – Claims Made and Reported Coverage~~
~~Storage Tank System Third Party Liability Insurance Policy - Claims Made and Reported Coverage~~
~~Storage Tank System Third Party Liability and Cleanup Insurance Policy – Claims Made and Reported Coverage~~

In consideration of the payment of premium and the Deductible by you and in reliance upon the statements in the Application made a part hereof, we agree with you, subject to all the terms, exclusions and conditions of this endorsement that the following changes shall apply:

I. For the purposes of this endorsement the following definitions are added to the policy and apply to all coverage parts contained in the applicable policy:

“Certified act of terrorism” means an act that is certified by the Secretary of the Treasury, in concurrence with the Secretary of State and the Attorney General of the United States, to be an act of terrorism pursuant to the federal Terrorism Risk Insurance Act of 2002. The Terrorism Risk Insurance Act of 2002 sets forth the following criteria for a “certified act of terrorism”:

1. The act resulted in aggregate losses in excess of \$5,000,000; attributable to all types of insurance subject to the Terrorism Risk Insurance Act; and
2. The act is a violent act or an act that is dangerous to human life, property or infrastructure and is committed by an individual or individuals as part of an effort to coerce the civilian population of the United States or to influence the policy or affect the conduct of the United States Government by coercion.

“Any injury or damage” means any injury or damage covered under any coverage part of any policy to which this endorsement is attached, and includes but is not limited to “damages,” “loss(es),” “cleanup costs,” “pollution event(s),” “release(s),” “claim(s),” “claim expenses,” “bodily injury,” “property damage,” “personal and advertising injury” or “ultimate net loss” as may be defined in any applicable coverage part or policy.

II. The following exclusion is added to the policy and applies to all coverage parts contained in the policy:

This insurance does not apply to “any injury or damage” arising, directly or indirectly out of a “certified act of terrorism.”

Deleted: Architects and Engineers Professional Liability Policy – Claims Made and Reported Coverage¶
Contractor's Pollution Liability Insurance Policy – Claims Made and Reported Coverage¶
Contractor's Pollution Liability Insurance Policy

Deleted: Professional Consultants Liability Insurance Policy – Claims Made and Reported Coverage¶
Professional Environmental Consultants Liability Insurance Policy – Claims Made and Reported Coverage for Coverage A only¶

Deleted: acting on behalf of any foreign person or foreign interest,

Deleted: B

Deleted: 10/04

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All other terms and conditions of the policy shall apply and remain unchanged.

Signed by: _____

Authorized Representative

Date

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